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Intellectual Property Administration
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EXAMINER

LEE, Y YOUNG

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/879,168
Filing Date: June 13, 2001
Appellant(s): OBRADOR, PERE

John Wagner
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 3/2/07 appealing from the Office action
mailed 7/11/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Talluri et al (6,026,183) for the same reasons as set forth in Section 8 of the office action, dated 2/11/03.

Talluri et al, in Figures 3, 5, 10, and 11, discloses a content-based video compression that is the same apparatus and method for applying multi-resolution boundary encoding to region based still image and video encoding as specified in claims 1-20 of the present invention, comprising dividing an original image into a plurality of regions (e.g. Figs. 4d, 13b), wherein a plurality of boundaries associated with the plurality of the regions is detected (Fig. 5a); encoding each of the plurality of the boundaries by two periodic wavelet series (e.g. H and L) such that each encoded boundary contains a plurality of coefficients (col. 11, lines 1-3), where the coefficients correspond to a plurality of boundary resolutions (e.g. HH1 and HH2 in Fig. 11); decomposing each of the plurality of the regions in the original image into four subbands (e.g. LL, LH, HL, and HH) each having a first boundary resolution using low/high pass horizontal and low/high pass vertical frequency filters (col. 11, lines 1-34); successively decomposing each of the plurality of the regions in a subband with lower resolution coefficients into one or more subbands (i.e. LL2, LH2, HL2, and HH2) using the plurality of the boundaries with lower resolution coefficients, each having a second boundary resolution, wherein the second boundary resolution is lower than the first boundary resolution (Fig. 11); transmitting boundary and image information (e.g. Fig. 1,

Transmission Channel) associated with regions of the original image and image information with the lowest resolution coefficients (e.g. HH2); successively transmitting boundary and image information associated with regions of the original image and image information with higher resolution coefficients (e.g. HH1) than the selected resolution HH2; reconstructing image information at a selected resolution HH2 in a receiver (e.g. Decoder) by combining the image information in one or more subbands having a lower resolution (e.g. HH3) than the selected resolution HH2; and successively reconstructing image information at a yet higher resolution (e.g. HH1) than the resolution HH2 in the receiver by combining the image information in one or more subbands having a lower resolution (i.e. HH2 and HH3) than the yet higher resolution HH1, until the original image is reconstructed (Fig. 15b).

(10) Response to Argument

In response to appellant's argument on pages 9-10 of the Brief that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., homogeneous regions which fill up the entire frame) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In particular, Talluri et al discloses dividing an entire original frame (Fig. 4a) into a plurality of regions (e.g. Figs. 4c and 4d).

Appellant asserts on page 11 of the Brief that Talluri et al fails to disclose successively transmitting boundary information associated with regions. However, it is

noted that a region, as illustrated in Figure 5a of Talluri et al, includes the boundary and the contents within the boundary. The presently claimed invention does not specify processing "only" boundary information separate from contents of the region.

Therefore, it is submitted that Figure 11 of Talluri et al illustrates the concept of such common wavelet compression technique wherein all information, including boundary of a region, with the lowest resolution coefficients LL3 associated with regions are transmitted; and information with higher resolution coefficients (e.g. LH3, HL3, HH3, etc.) associated with regions are then successively transmitted.

Examiner acknowledges that Talluri et al may not describe a method identical to that disclosed by appellants. However, claims are to be given their broadest reasonable interpretation during prosecution, and the scope of a claim cannot be narrowed by reading disclosed limitations into the claim. See In re Morris, 127 F.3d 1048, 1054, 44 USPQ2D 1023, 1027 (Fed. Cir. 1997); In re Zletz, 893 F.2d 319, 321, 13 USPQ2D 1320, 1322 (Fed. Cir. 1989); In re Prater, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969). In addition, the law of anticipation does not require that a reference "teach" what an appellant's disclosure teaches. Assuming that reference is properly "prior art," it is only necessary that the claims "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it. Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983).

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

(12) Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Young Lee

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